

PATENT

Application No. 09/505,361
Attorney Docket No.: 99-025**Remarks**

Claims 1 – 28, 34 – 43, and 47 – 52 are currently pending in the present application.

Claims 47 – 52 have been amended herein to expressly recite features that were each already present in the respective claims, per Examiner's request. Specifically, claim 47 and claim 48 has each respectively been amended herein to expressly recite each of the features of claim 1 (claims 47 and 48, before the present amendment, included each of the features of claim 1 by incorporation). Claim 49 and claim 50 has each respectively been amended herein to expressly recite each of the features of claim 34 (claims 49 and 50, before the amendment, includes each of the features of claim 34 by incorporation). Claim 51 and claim 52 has each respectively been amended herein to recite each of the features of claim 40 (claims 51 and 52, before the present amendment, included each of the features of claim 40 by incorporation).

The amendments made herein have not been made for any reason related to patentability but rather to conform to Examiner's request to expressly recite each of the claim features rather than to incorporate them from another reference. Applicants note that a claim which makes reference to a preceding claim to define a limitation is an acceptable claim construction. (see, for example, MPEP §2173.05(f). The claim limitations, before the amendments made herein, were clearly defined and put the public on notice as to how the claims could be infringed and would have been understood by one of ordinary skill in the art as to what is claimed.

Claims 47 – 52 are independent claims. Claims 47 – 52 were independent claims before the amendments made herein and remain independent claims. Applicants authorized payment for claims 47 – 52 as independent claims in the Amendment & Response to the Office Action mailed September 13, 2002. In that Amendment & Response, which was filed on December 4, 2002, Applicants indicated in the "Amendment Transmittal Letter – Small Entity" (submitted on form P11SMALL/REV06) that 12 independent claims remain pending after entry of that amendment. At the time of that amendment, only claims 1, 34, 40, 44, 45, 46, 47, 48, 49, 50, 51, and 52 were independent (a total of 12 claims). Accordingly, Applicants authorized payment, and continue to do so herein if not already charged therefore, for claims 47 – 52 as independent claims.

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For the foregoing reasons it is submitted that all of the claims are now in condition for allowance and the Examiner's early re-examination and reconsideration are respectfully requested.

Alternatively, if there remains any question regarding the present application or any of the cited references, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is cordially requested to contact Magdalena M. Fincham at telephone number 203.461.7041 or via electronic mail at Mfincham@walkerdigital.com.

Petition for Extension of Time to Respond

Applicants believe no fee is due. Please charge any fees that may be required for this Request, or credit any overpayment to Deposit Account No. 50-0271. Order number 01-015. The Assistant Commissioner is further authorized to charge any additional fees which may be required for the submission of this paper, or credit any overpayment to Deposit Account No. 50-0271.

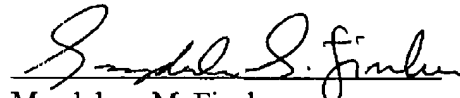
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If an extension of time is required, or if an additional extension of time is required in addition to that requested in a petition for an extension of time, please grant a petition for that extension of time which is required to make this Response timely, and please charge any fee for such extension to Deposit Account No. 50-0271.

Respectfully submitted,

April 07, 2003
Date


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MARKED-UP VERSION**

47. (AMENDED) An apparatus comprising:

a processor, and

a memory that stores a program for directing the processor;

the processor being operative with the program to:

[perform the method of claim 1]

identify a product associated with a first rebate, the first rebate being redeemable by mailing a predetermined document associated with the first rebate to a first entity associated with the first product;

determine a second rebate associated with the product;

offer to a consumer the second rebate in exchange for the first rebate;

obtain the predetermined document, surrendered by the consumer at a retailer terminal operated by a second entity, such that the consumer can no longer redeem the first rebate; and

issue the second rebate to the consumer.

48. (AMENDED) A computer readable medium encoded with instructions for directing a processor to:

[perform the method of claim 1]

identify a product associated with a first rebate, the first rebate being redeemable by mailing a predetermined document associated with the first rebate to a first entity associated with the first product;

determine a second rebate associated with the product;

offer to a consumer the second rebate in exchange for the first rebate;

obtain the predetermined document, surrendered by the consumer at a retailer terminal operated by a second entity, such that the consumer can no longer redeem the first rebate; and

issue the second rebate to the consumer.

49. (AMENDED) An apparatus comprising:

a processor, and

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a memory that stores a program for directing the processor;
the processor being operative with the program to:

[perform the method of claim 34]

~~identify a first rebate associated with a product, the first rebate being redeemable
by mailing a predetermined document associated with the first rebate to a first entity associated
with the first product;~~

~~determine an alternative rebate associated with the product;~~

~~accept input indicative of a selection of the alternative rebate; and if selected,~~

~~obtain the predetermined document, surrendered by a consumer at a retailer
terminal operated by a second entity, such that the consumer can no longer redeem the first
rebate; and~~

~~issue the alternative rebate to the consumer.~~

50. (AMENDED) A computer readable medium encoded with instructions for directing a
processor to:

[perform the method of claim 34]

~~identify a first rebate associated with a product, the first rebate being redeemable by
mailing a predetermined document associated with the first rebate to a first entity associated with
the first product;~~

~~determine an alternative rebate associated with the product;~~

~~accept input indicative of a selection of the alternative rebate; and if selected,~~

~~obtain the predetermined document, surrendered by a consumer at a retailer terminal
operated by a second entity, such that the consumer can no longer redeem the first rebate; and~~

~~issue the alternative rebate to the consumer.~~

51. (AMENDED) An apparatus comprising:

a processor, and

a memory that stores a program for directing the processor;

the processor being operative with the program to:

[perform the method of claim 40]

~~identify a product;~~

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identify a first rebate and a second rebate associated with the product, the first rebate being redeemable by mailing a predetermined document associated with the first rebate to a first entity associated with the first product;

receive an acceptance of the second rebate from a consumer;

obtain the predetermined document, surrendered by a consumer at a retailer terminal operated by a second entity, such that the consumer can no longer redeem the first rebate;

issue the second rebate to the consumer; and

receive a request from the consumer to redeem the second rebate.

52. (AMENDED) A computer readable medium encoded with instructions for directing a processor to:

[perform the method of claim 40]

identify a product;

identify a first rebate and a second rebate associated with the product, the first rebate being redeemable by mailing a predetermined document associated with the first rebate to a first entity associated with the first product;

receive an acceptance of the second rebate from a consumer;

obtain the predetermined document, surrendered by a consumer at a retailer terminal operated by a second entity, such that the consumer can no longer redeem the first rebate;

issue the second rebate to the consumer; and

receive a request from the consumer to redeem the second rebate.